



COMMUNITY DEVELOPMENT DEPARTMENT

17555 Peak Avenue Morgan Hill CA 95037 (408) 779-7247 Fax (408) 779-7236
Website Address: www.morgan-hill.ca.gov

PLANNING COMMISSION

TUESDAY, MAY 14, 2002

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA**

COMMISSIONERS

CHAIR BARBARA SULLIVAN
VICE-CHAIR PATRICIA MCMAHON
COMMISSIONER GENO ACEVEDO
COMMISSIONER ROBERT J. BENICH
COMMISSIONER RALPH LYLE
COMMISSIONER JOSEPH MUELLER
COMMISSIONER CHARLES D. WESTON

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes.*

DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH

GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT
OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

MINUTES: __April 23, 2002

OLD BUSINESS:

1. **FINAL AWARD AND DISTRIBUTION OF THE MEASURE P BUILDING ALLOCATIONS FOR FISCAL YEAR 2003-04 OPEN MARKET, MICRO PROJECTS AND AFFORDABLE PROJECT COMPETITIONS:**

Recommendation: Adopt Resolution Nos. 02-36 (Open Market Competition) and 02-37 (Micro Projects Competition), with recommendation to forward to the City Council for second-year allocations.

2. **ZONING AMENDMENT, ZA-00-05: HALE-GLENROCK/SHEA HOMES:** A request to approve a revised precise development plan for 67 acre Capriano development located on the south side of Tilton Ave., east side of Hale Ave., west of the railroad tracks. The proposed development plan includes 38 single family attached homes and 172 single family detached homes. (APN 764-09-06, 16, 17, 31, 30 and all lots on 764-54 and 764-55).

Recommendation: Direct applicant to revise precise development plan..

3. **ZONING AMENDMENT, ZA-02-04/DEVELOPMENT AGREEMENT, DA-02-01: CHURCH-SOUTH COUNTY HOUSING:** A request to approve a zoning amendment and development agreement for a four-acre site from R3 to Planned Unit Development (PUD). The applicant is proposing a mixed-use project consisting of 72 apartment units and a 4,200 sq. ft. student day care facility for a maximum of 45 students, a 4,300 sq. ft. community center, and 3,000 sq. ft. office area for non-profit groups.(APN 817-02-003, 004, 005, 022, 023 & 038)

Recommendation: Adopt Resolution Nos. 02-31 (zoning amendment) and 02-32 (development agreement), with recommendation to forward requests to City Council for approval.

NEW BUSINESS:

4. **GENERAL PLAN AMENDMENT, GPA-01-09: CITY OF MORGAN HILL-ADOPTION OF HOUSING ELEMENT:** This is a City-initiated request to approve a new Housing Element of the General Plan. The proposed Element represents a comprehensive statement of the City's current and future housing needs and proposed actions to facilitate the provision of housing to meet the needs of all income levels. The Element has been prepared in such a way as to meet the requirements of State law and to meet local housing objectives.

Recommendation: Open public hearing and continue to June 11, 2002 meeting.

OTHER BUSINESS:

5. **MICRO MEASURE P, MMP-00-02: E. DUNNE-GREWAL:** Review by Commission of report tracking the progress of the above cited Micro Measure P application through the development process.

Recommendation:

- 1) Commission recommend applicant submit a request for an exception to loss of building allotments (ELBA), or
- 2) Commission recommend revocation of the building allotments to the City Council.

6. **DRAFT FY 02/03 - 06/07 CAPITAL IMPROVEMENTS PROGRAM (CIP):** Commission requested to review the Draft Five-Year Capital Improvements Program (CIP) for consistency with the Adopted 2001 General Plan.

Recommendation: Adopt Resolution No. 02-35.

7. **SELECTION OF CHAIR/VICE CHAIR:**

Recommendation: Select Chair/Vice Chair in accordance with City Council adopted policy.

TENTATIVE UPCOMING AGENDA ITEM FOR THE MAY 28, 2002 MEETING:

- UP-02-03: Tennant-Safeway
- DAA-00-05: Malaguerra-Mancias
- DAA-00-08: Berkshire-Singh
- DAA-01-06: Cochrane-Coyote Estates

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ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

***NOTICE IS GIVEN** pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

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